

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GABINO GENAO,

Plaintiff,

20-CV-10563 (GBD) (VF)

-against-

ORDER OF SERVICE

RIVERA et al.,

Defendants.

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VALERIE FIGUEREDO, United States Magistrate Judge:

The Court requests that the New York City Department of Correction and New York Law Department waive service of summons on behalf of Defendants C.O. Kissoon, Capt. Lacroix, C.O. Shaw, Jr., and J. Dwyer (ID Investigator). On March 20, 2023, Plaintiff filed his Amended Complaint adding these additional defendants, see ECF No. 45, and on July 31, 2023, Plaintiff requested assistance in serving the newly added defendants, see ECF No. 57. Defendants assert that Plaintiff cannot show good cause for having failed to request assistance from the Court earlier or for having failed to effectuate service on these Defendants. See ECF No. 58.

Plaintiff, however, is proceeding pro se and in forma pauperis, and is entitled to assistance from the Court in effectuating service. Moreover, it appears from Plaintiff's other cases, that the Court has in other instances issued an order to assist Plaintiff in effectuating service, potentially leading Plaintiff to mistakenly believe that he did not have to request such assistance because such an order would automatically issue. In any case, because Plaintiff is pro se and the Court is obligated to afford him special solicitude, the Court requests that the New York City Department of Correction and New York Law Department waive service of summons on behalf of the additional defendants identified by Plaintiff in his amended complaint.

The Clerk of Court is directed to notify the New York City Department of Correction and the New York City Law Department of this order.

SO ORDERED.

DATED: New York, New York
August 11, 2023

A handwritten signature in black ink, appearing to read 'Valerie Figueredo', is written above a horizontal line.

VALERIE FIGUEREDO
United States Magistrate Judge